

# HOUSE BILL No. 1063

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-1-6-3.

**Synopsis:** Special education. Specifies that the term "corporation" in a special education statute refers to "school corporation".

**Effective:** July 1, 1999.

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January 6, 1999, read first time and referred to Committee on Education.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## HOUSE BILL No. 1063

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1       SECTION 1. IC 20-1-6-3 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) Every school corporation  
3 acting individually or in a joint school services program with other  
4 **school** corporations is empowered to establish and maintain  
5 instructional facilities for the instruction of children with disabilities.  
6       (b) A school corporation may provide transfer and transportation of  
7 children with disabilities residing in the geographical limits of the  
8 **school** corporation to facilities for the instruction of children with  
9 disabilities which are not maintained by the school corporation.  
10       (c) Any school corporation acting individually or in a joint school  
11 services program with other **school** corporations may convert, build, or  
12 lease the necessary school buildings or use existing buildings for the  
13 purpose of establishing and maintaining classes of one (1) or more  
14 pupils who are residents of Indiana and who are children with  
15 disabilities.  
16       (d) Any school corporation may provide for instruction of any child  
17 with a disability who is not able to attend the special class or school for

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1 children with disabilities. Special personnel may be employed in  
 2 connection with these classes of schools, and any expenditures for  
 3 these classes of schools shall be lawful expenditures for maintaining  
 4 the education of children with disabilities.

5 (e) All nurses, therapists, doctors, psychologists, and related  
 6 specialists employed under this chapter shall be registered and  
 7 authorized to practice under the laws of Indiana and are subject to any  
 8 additional requirements of the division.

9 (f) Any school corporation acting individually or in a joint school  
 10 services program with other **school** corporations may purchase special  
 11 equipment needed in a class or school for children with disabilities, and  
 12 any expenditures made for this special equipment are lawful  
 13 expenditures for maintaining the education of children with disabilities.

14 (g) Children with disabilities shall receive credit for schoolwork  
 15 accomplished on the same basis as normal children who do similar  
 16 work.

17 (h) The school corporation constructing or operating a school under  
 18 this chapter shall pay the operating expense for each pupil attending  
 19 and shall be entitled to receive state aid for these pupils under the  
 20 applicable laws. Other school corporations sending children with  
 21 disabilities as students of the school shall pay tuition in accordance  
 22 with sections 18.1 through 18.2 of this chapter.

23 (i) If the state receives funds from the federal government to aid in  
 24 the operation of any school for children with disabilities, the division  
 25 shall distribute among these schools the grant of federal funds which  
 26 are appropriated and shall be expended for the purposes for which the  
 27 funds are granted.

28 (j) Except as provided in section 14.1 of this chapter as it relates to  
 29 preschool children with disabilities, any school or classes for children  
 30 with disabilities shall be operated by the school corporation  
 31 establishing the school or classes under the laws of Indiana applying to  
 32 the operation of public schools and under the supervision of the  
 33 division. Teachers in classes and schools for persons with disabilities  
 34 shall be appointed as other public school teachers and shall possess the  
 35 usual qualifications required of teachers in the public schools and in  
 36 addition, any special training that the state board of education requires.  
 37 The state board of education shall adopt rules under IC 4-22-2  
 38 governing the qualifications required of preschool teachers under  
 39 contractual agreements entered into under section 14.1 of this chapter.

40 (k) Qualifications of paraprofessional personnel to be employed  
 41 under this chapter are subject to a determination by the department of  
 42 education. Before any type of special class organized or to be organized

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1 under this chapter is established in any school corporation or through  
2 any contractual agreement, the special class shall be submitted to and  
3 must be approved by the Indiana state board of education.

4 (l) The Indiana state board of education shall adopt rules under  
5 IC 4-22-2 necessary for the proper administration of this chapter.

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